

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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\_\_\_\_\_ ,

Plaintiff,

Docket No.

v.

(\_\_\_\_\_, J.)  
(Marutollo, M.J.)

\_\_\_\_\_ ,

Defendants.

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**DISCOVERY PLAN AND SCHEDULING ORDER**

Upon consent of the parties, it is hereby ORDERED as follows:

1. The date for completion of automatic disclosures required by Fed. R. Civ. P. 26(a)(1), if not yet completed: \_\_\_\_\_
2. No amendment of the pleadings will be permitted after: \_\_\_\_\_
3. No additional parties may be joined after: \_\_\_\_\_
4. Fact discovery shall be completed by: \_\_\_\_\_
5. Plaintiff(s) shall make required Fed. R. Civ. P. 26(a)(2) disclosures, if any, by: \_\_\_\_\_.
6. Defendant(s) shall make required Fed. R. Civ. P. 26(a)(2) disclosures, if any, by: \_\_\_\_\_
7. All discovery, including expert discovery, shall be completed by: \_\_\_\_\_ . (*Presumptively 30 days following the final exchange of expert reports*)

8. Have the parties discussed the existence of electronically stored information (ESI) and discussed the location and production of such information, as required by Fed. R. Civ. P. 26? Yes \_\_\_\_ No \_\_\_\_
9. Have the parties entered into an ESI protocol? Yes \_\_\_\_ No \_\_\_\_ Not Applicable \_\_\_\_
10. Final date to take the first step in dispositive motion practice, if any: \_\_\_\_\_. *(If the parties do not consent to the jurisdiction of United States Magistrate Judge Joseph A. Marutollo, parties are directed to consult the District Judge's Individual Practices and Rules regarding such motion practice. The date is presumptively 30 days after completion of expert discovery)*
11. Do the parties wish to be referred to the EDNY's Court-annexed mediation program pursuant to Local Civil Rule 83.8? \_\_\_\_ Yes \_\_\_\_ No
12. Do the parties consent to trial before a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c)? \_\_\_\_ Yes \_\_\_\_ No *(Answer "no" if any party declines to consent without indicating which party has declined)*

This Scheduling Order may be altered or amended only upon a showing of good cause not foreseeable as of the date of this order.

CONSENTED TO BY:

Attorney for Plaintiff	Attorney for Defendant(s)
Name:	Name:
Address:	Address:
Telephone:	Telephone:
Email:	Email:

**SO ORDERED:**

Dated: Brooklyn, New York

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\_\_\_\_\_  
**JOSEPH A. MARUTOLLO**  
United States Magistrate Judge